

REMARKS

This paper is submitted in response to the pending final Office Action mailed on October 19, 2005. Because this Response is submitted with a certificate of mailing in compliance with 37 C.F.R. §1.8 on or before the shortened statutory period for reply set to expire on **January 19, 2005**, this Response is timely filed.

Moreover, this paper is submitted contemporaneously with a Request for Continued Examination (RCE) under 37 C.F.R. §1.114, and a check in the amount of \$790.00 for the RCE fee set forth under 37 C.F.R. §1.17(e).

I. STATUS OF THE CLAIMS

Prior to this response, Claims 1 to 11 were pending. By this response, Claims 1, 9, 11 have been amended to clarify the subject matter for which protection is sought, and new Claims 12 to 15 have been added. The new Claims 12 to 15 have been added to clearly define the subject matter originally claimed and that Applicants regard as the invention, and not to address any pending rejection or other statutory deficiency. A check in the amount of \$200.00 is enclosed for the fee set forth under 37 C.F.R. §1.16(h) for the one independent claim in excess of four originally paid for and filed. Thus, Claims 1 to 15 are pending and at issue in this application.

The total fees believed due in connection with this Response and the RCE are \$990.00, however, please charge **Deposit Account No. 02-1818** for any fees deemed owed.

New Claims 12 to 15 are directed to a virtual space system having a chat function, the system includes, among other things, a first server and a second server. Applicants submit that these new claims are submitted to clearly define the subject matter for which protection is sought, and that no new matter has been added. Furthermore, Applicants assert that these new claims are not submitted for any reason related to patentability, to disclaim any subject matter, to overcome any reference of record or for any statutory reason.

II. CLAIM REJECTIONS

The final Office Action rejects Claims 1 to 11 under 35 U.S.C. §103(a) as obvious¹ over U.S. Patent No. 5,926,179 to Matsuda et al. ("*Matsuda*") in view of U.S. Patent No. 6,487,557 to Nagatomo ("*Nagatomo*"). Applicants respectfully traverse the rejection of pending Claims 1 to 11, and presumably new Claims 12 to 15, because *Matsuda* and *Nagatomo* fail to disclose or suggest, either alone or in combination, each and every element recited in the claims and therefore do not provide a proper basis for establishing a *prima facie* case of obviousness. In particular, the combination of *Matsuda* and *Nagatomo* fails to disclose or suggest a virtual space system having a first or second servers, much less a virtual space system in which a chat log is stored between a first object operating on a first server and a second object operating on a second server.

Matsuda discloses a system that allows a user to determine whether or not an object is available for chat by use of a pointer that is displayed on a three-dimensional virtual reality space image. In particular, when the user highlights an object displayed in three-dimensional virtual reality space with a curser or pointer, if the object is chat-enabled the pointer is changed to a pointer having a shape resembling a human face. In this way, the user can quickly determine whether or not objects displayed in three-dimensional virtual reality space are chat-enabled and available for communication. *Matsuda* does not disclose or suggest, at any level, a virtual space system in which a chat log is stored between a first object operating on a first server and a second object operating on a second server.

Nagatomo does not provide the disclosure or teaching missing from *Matsuda*. *Nagatomo* discloses a network-access management system that stores a history table that includes addresses of pages which at least one client terminal has accessed in the past, and the associated user ID information. Thus, when a subsequent connection request from the

¹ To establish a *prima facie* case of obviousness, three basic criteria must be met.:

- (a) First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.
- (b) Second, there must be a reasonable expectation of success.
- (c) Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP §2143 - §2143.03 for decisions pertinent to each of these criteria.

client terminal is detected, the system displays data according to the access frequency and type of the addresses stored in the history table. Thus, *Nagatomo* simply discloses a network management schema and is completely unconcerned with the problem of the providing a virtual space system in which a chat log is stored between a first object operating on a first server and a second object operating on a second server.


Because both *Matsuda* and *Nagatomo* fail to disclose each and every element set forth in the Claims 1 to 15, these reference, or any combination of these references, cannot be combined or modified to form the claimed invention. Moreover, even if, for the sake of argument, these elements were present in the relied upon references, both *Matsuda* and *Nagatomo* do not recognize the difficulties of storing a chat storage file when the objects performing the chat communication are connected via different servers. This failure to recognize the problem, much less a possible solution, shows that the necessary motivation or suggestion cannot be found in either of the relied upon references. For all of these reasons, Applicants submit that the no combination of *Matsuda* and *Nagatomo* provides a proper basis for establishing a *prima facie* case of obviousness, and thus no combination of *Matsuda* and *Nagatomo* Claims 1 to 11 and new Claims 12 to 15 obvious.

III. CONCLUSION

For the foregoing reasons, Applicants respectfully request withdrawal of the pending rejections and submit that the above-identified patent application is now in condition for allowance and earnestly solicits reconsideration of same. The Examiner is respectfully requested to contact the undersigned if he can assist in any way in expediting prosecution of this application.

Respectfully submitted,

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